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Attorneys for Defendant

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC,

Plaintiff,

v.

PHILIP F. PALMEDO,

Defendant.

Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

Adv. Pro No. 10-04749 (SMB)

NOTICE OF DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the Memorandum of Law, Counterstatement of Material
Facts and Declaration of Helen Davis Chaitman executed and filed on October 2, 2020, with all

exhibits annexed thereto, and upon all prior pleadings and proceedings herein, Defendant Philip F. Palmedo (“Palmedo”) moves this court before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge for the Southern District of New York, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408, for an order granting Defendants’ cross-motion for summary judgment dismissing the case in its entirety for lack of subject matter jurisdiction pursuant to Rule 7056 of the Federal Rules of Bankruptcy Procedure and Rule 56 of the Federal Rules of Civil Procedure, together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Irving H. Picard’s, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, answering papers to the cross-motion and reply on his motion for summary judgment shall be served and filed on or before October 23, 2020 and Defendants’ reply papers to the Cross-Motion shall be served on or before October 30, 2020, as Ordered by this Court, *see Picard v. Palmedo*, 10-04749 (SMB), ECF No. 97. Oral argument on this Cross-Motion is presently scheduled for November 18, 2020 at 10:00 a.m.

Dated: October 2, 2020
New York, New York

CHAITMAN LLP
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